

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512



September 6, 2001

Calpine Corporation
Attention: Bryan J. Bertacchi, P.E.
6700 Koll Center Parkway, Ste. 200
Pleasanton, CA 94566

RE: Gilroy Phase II, 01-AFC-9

Dear Mr. Bertacchi:

Since the Commission's decision on June 27th finding the AFC data inadequate, staff reviewed and found the draft supplemental information to be data adequate in the following areas: waste, public health, paleontology, and socioeconomics. However, additional information is still needed in the following areas: air quality, biology, cultural, transmission system engineering, visual, water and soils. Attached are revised worksheets that indicate the remaining deficiencies in each of these areas.

If you desire, we would be happy to schedule a meeting between our technical specialists and your technical specialists, so that we may assist in resolving these deficiencies.

The Energy Commission looks forward to receiving supplemental material to correct the data adequacy deficiencies, as well as the needed information on the gas-line and the transmission system upgrades, so that we may develop a revised 4-month data adequacy recommendation.

If you have any questions, please me at (916) 654-4074, or call Sandra Fromm at (916) 654-4206.

Sincerely,

Paul Richins, Program Manager
Systems Assessment & Facilities Siting

Adequacy Issue: Adequate ☒ Inadequate ☐
 Technical Area: Air Quality
 Project Manager: Sandra Fromm

DATA ADEQUACY WORKSHEET

Revision No. 02 Date August 30, 2001
 Technical Staff: Joseph M. Loyer
 Technical Senior: Keith Golden

Project: Gilroy Energy Center Phase II Project
 Docket: 01-AFC-9

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	Section 8.1 Appendix 8.0	Yes	
Appendix B (g) (8) (A)	The information necessary for the air pollution control district where the project is located to complete a Determination of Compliance.	Response to data adequacy	Yes	
Appendix B (g) (8) (B)	The heating value and chemical characteristics of the proposed fuels, the stack height and diameter, the exhaust velocity and temperature, the heat rate and the expected capacity factor of the proposed facility.	App. 8.0	Yes	
Appendix B (g) (8) (C)	A description of the control technologies proposed to limit the emission of criteria pollutants.	Page 8.1-35	Yes	
Appendix B (g) (8) (D)	A description of the cooling system, the estimated cooling tower drift rate, the rate of water flow through the cooling tower, and the maximum concentrations of total dissolved solids.	App 8.0	Yes	
Appendix B (g) (8) (E)	The emission rates of criteria pollutants from the stack, cooling towers, fuels and materials handling processes, delivery and storage systems, and from all secondary emission sources.	Section 8.1 App 8.0	Yes	
Appendix B (g) (8) (F)	A description of typical operational modes, and start-up and shutdown modes for the proposed project, including the estimated frequency of occurrence and duration of each mode, and estimated emission rate for each criteria pollutant during each mode.	Section 8.1 App 8.0	Yes	

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Appendix B (g) (8) (G)	The ambient concentrations of all criteria pollutants for the previous three years as measured at the three Air Resources Board certified monitoring stations located closest to the project site, and an analysis of whether this data is representative of conditions at the project site. The applicant may substitute an explanation as to why information from one, two, or all stations is either not available or unnecessary.	8.1-19	Yes	
Appendix B (g) (8) (H)	One year of meteorological data collected from either the Federal Aviation Administration Class 1 station nearest to the project or from the project site, or meteorological data approved by the California Air Resources Board or the local air pollution control district.	8.1-7	Yes	
Appendix B (g) (8) (H) (i)	If the data is collected from the project site, the applicant shall demonstrate compliance with the requirements of the U.S. Environmental Protection Agency document entitled "On-Site Meteorological Program Guidance for Regulatory Modeling Applications" (EPA - 450/4-87-013 (August 1995), which is incorporated by reference in its entirety.)		NA	
Appendix B (g) (8) (H) (ii)	The data shall include quarterly wind tables and wind roses, ambient temperatures, relative humidity, stability and mixing heights, upper atmospheric air data, and an analysis of whether this data is representative of conditions at the project site.	8.1-7 thr 15	Yes	
Appendix B (g) (8) (I)	An evaluation of the project's direct and cumulative air quality impacts, consisting of the following:			

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Appendix B (g) (8) (I) (i)	A screening level air quality modeling analysis, or a more detailed modeling analysis if so desired by the applicant, of the direct inert pollutant impacts of project construction activities on ambient air quality conditions, including fugitive dust (PM ₁₀) emissions from grading, excavation and site disturbance, as well as the combustion emissions [nitrogen oxides (NO _x), sulfur dioxide (SO ₂), carbon monoxide (CO), and particulate matter less than 10 microns in diameter (PM ₁₀)] from construction-related equipment;	8.1-41 et al	Yes	
Appendix B (g) (8) (I) (ii)	A screening level air quality modeling analysis, or a more detailed modeling analysis if so desired by the applicant, of the direct inert criteria pollutant (NO _x , SO ₂ , CO and PM ₁₀) impacts on ambient air quality conditions of the project during typical (normal) operation, and during shutdown and startup modes of operation. Identify and include in the modeling of each operating mode the estimated maximum emissions rates and the assumed meteorological conditions; and	8.1-45	Yes	
Appendix B (g) (8) (I) (iii)	A protocol for a cumulative air quality modeling impacts analysis of the project's typical operating mode in combination with other stationary emissions sources within a six mile radius which have received construction permits but are not yet operational, or are in the permitting process. The cumulative inert pollutant impact analysis should assess whether estimated emissions concentrations will cause or contribute to a violation of any ambient air quality standard.	8.1-77	Yes	
Appendix B (g) (8) (J)	If an emission offset strategy is proposed to mitigate the project's impacts under subsection (g)(1), provide the following information:			
Appendix B (g) (8) (J) (i)	The quantity of offsets needed;	8.1-74	Yes	

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Appendix B (g) (8) (J) (ii)	Potential offset sources, including location, and quantity of emission reductions; and	8.1-74 App 8.0 Letter to Joe Loyer, dated 8/29/01	Yes	
Appendix B (g) (8) (J) (iii)	Method of emission reduction.	8.1-74	Yes	
Appendix B (g) (8) (K)	A topographic map containing contour and elevation data, at a scale of 1:24,000, showing the area within 6 miles of the power plant site.	Submitted with the AFC	Yes	
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	8.1-68 thr 70	Yes	
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	8.1-68 thr 70	Yes	
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	8.1-23 thr 31	Yes	
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	Response to data adequacy	Yes	
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Response to data adequacy	Yes	

Adequacy Issue: Adequate _____ Inadequate **X**
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 Technical Senior: Jim Brownell

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Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	pp. 8.2-1 – 8.2-25/Section 8.2; pp. 8.2-25 – 8.2-38/Sections 8.2.3 & 8.2.4; pp. 8.2-38 – 8.2-40/8.2.5. <u>Section 8.2</u>	No	<ul style="list-style-type: none"> Provide the results of the USFWS protocol-level surveys for least Bell's vireo. Include <u>Provide a discussion of all potential impacts to LBV this species and all related agency correspondence. This discussion should address potential impacts to this species, as well as other sensitive species, based on the new project description that includes 28-30 miles of transmission line reconductoring and a reclaim water line.</u> <u>Provide a detailed description of the transmission line reductoring and reclaim water line project components. The description should include specific methodologies/plans that will be used to construct these linear facilities (e.g., construction methodologies, access plans, grading plans, etc.).</u> <u>Provide a detailed description of the existing site conditions along the transmission line reductoring and reclaim water line facilities (e.g., vegetation communities, sensitive habitat types, aquatic resources, etc.).</u> If it is determined that least Bell's vireo may be impacted by the project, the applicant will provide a mitigation and monitoring plan that establishes mitigation for this species and monitors the effectiveness of the mitigation.
Appendix B (g) (13) (A)	A regional overview and discussion of biological resources, with particular attention to sensitive biological resources near the project, and a map at a scale of 1:100,000 (or some other suitable scale) showing their location in relation to the project.	pp. 8.2-1 – 8.2-3 and pp. 8.2-25/ Sections 8.2.1 and 8.2.2: <u>Section 8.2-</u>	Yes	<ul style="list-style-type: none"> <u>Provide the requested information for the transmission line reductoring and the reclaim water line project components.</u>

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Appendix B (g) (13) (B)	A discussion and detailed maps at a scale of 1:6,000, of the biological resources at the site of the proposed project and related facilities, and in areas adjacent to them, out to a mile from the site and 1000 feet from the outer edge of linear facility corridors. Include a list of the species actually observed and those with a potential to occur. The discussion and maps shall address the distribution of community types, denning or nesting sites, population concentrations, migration corridors, breeding habitats, and the presence of sensitive biological resources.	pp. 8.2-4 – 8.2-8/Section 8.2.2.1. pp. 8.2-10 – 8.2-28/Section 8.2.2; pp. 8.2-3 – 8.2-16; pp. 8.2-19 & 8.2-21; p. 8.2-21; Section 8.2; <u>Section 8.2-</u>	No	<ul style="list-style-type: none"> • <u>Based on agency correspondence, provide documentation that protocol-level surveys for information on potential San Joaquin kit fox and/or other sensitive species are not required for the Phase II project.</u> <u>Were conducted</u> • <u>Provide the requested information for the transmission line reconductoring and the reclaim water line project components.</u> —<u>Provide a discussion of nesting sites. Were specific surveys conducted to document bird nests within and adjacent to the project? In particular, for raptor and riparian nesting bird species.</u> • <u>Provide a discussion of wildlife corridors within or near the project. Does Llagas Creek provide a migration corridor for wildlife and fish species? What species are expected or known to use migration corridors in or near the project?</u>

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Appendix B (g) (13) (C)	A description of all studies and surveys used to provide biological information about the project site, including seasonal surveys and copies of the California Department of Fish and Game's Natural Diversity Data Base Survey Forms, "California Native Plant Species Field Survey Forms", and "California Natural Community Field Survey Forms", completed by the applicant. Include the dates and duration of the studies, methods used to complete the studies, and the names and qualifications of individuals conducting the studies.	p. 8.2-3/Section 8.2.2.1; pp. 8.2-10 – 8.2-25; <u>Section 8.2</u>	No	<p>—Provide data including: CNDDDB Survey Forms, California Native Plant Species Field Survey Forms, and California Natural Community Forms.</p> <ul style="list-style-type: none"> • Provide detailed methodologies for the field surveys. In particular, provide detailed methodologies for sensitive species surveys such as least Bell's vireo, San Joaquin kit fox, and raptor nesting. • Provide names and qualifications of the individuals who conducted the biological surveys. • Provide the requested information for the transmission line reductoring and the reclaim water line project components.

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Appendix B (g) (13) (D)	A discussion of all permanent and temporary impacts to biological resources from site preparation, construction activities, and plant operation. Discussion of impacts must consider impacts from cooling tower drift, and from the use and discharge of water during construction and operation. For facilities which use once-through cooling or take or discharge water directly from or to natural sources, discuss impacts resulting from entrainment, impingement, thermal discharge, effluent chemicals, type of pump (if applicable), temperature, volume and rate of flow at intake and discharge location, and plume configuration in receiving water.	pp. 8.2-25 – 8.2-40/Section 8.2.3 ;8.14-4/Section8.14.1.2; 8.14-11/Section 8.14.2.1.; p. 8.14-15/Section 8.14.2.1.; <u>Section 8.2</u>	No	<p>—Provide detailed information on projected cooling tower drift impacts. The analyses should contain information that describes the fallout area (wind rose, and deposition rate information), chemical composition of the drift (include toxicity info.), the dissolved solids in the drift, potential affects to sensitive vegetation in the vicinity (including species adapted to serpentine soils and agricultural areas), potential affects to sensitive wildlife species (particularly as it relates to vegetation impacts such as host plants of the Bay checkerspot butterfly), and a discussion of whether these impacts are considered significant or not.</p> <ul style="list-style-type: none"> <u>Provide the requested information for the transmission line reconductoring and the reclaim water line project components.</u>
Appendix B (g) (13) (E)	A discussion of the following:			
Appendix B (g) (13) (E) (i)	All measures proposed to avoid and/or reduce any adverse impacts;	pp. 8.2-25 – 8.2-40/Section 8.2.3; <u>Section 8.2-</u>	No	<ul style="list-style-type: none"> Provide measures to <u>avoid and/or reduce</u> mitigate adverse impacts to <u>sensitive species that may be affected by the</u> least Bell's vireo and San Joaquin kit fox <u>transmission line reconductoring and reclaim water line project components.</u> Provide measures to mitigate adverse impacts to sensitive vegetation communities and/or sensitive wildlife species resulting from cooling tower drift.

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Appendix B (g) (13) (E) (ii)	All measures proposed to mitigate any adverse impacts, including any proposals for off-site mitigation; and	Section 8.2.5 (pp. 8.2-38 – 8.2-40); Section 8.2-	No	<ul style="list-style-type: none"> Provide measures to mitigate adverse impacts to least Bell's vireo and San Joaquin kit fox. <u>Provide measures to mitigate adverse impacts to biological resources that may be affected by the transmission line reconductoring and reclaim water line project components.</u> Provide measures to mitigate adverse impacts to sensitive vegetation communities and/or sensitive wildlife species (i.e. Bay checkerspot butterfly) resulting from cooling tower drift. If applicable, provide information on any proposals that may require off-site mitigation.
Appendix B (g) (13) (E) (iii)	Any educational programs proposed to enhance employee awareness in order to protect biological resources.	p. 8.2-38/Section 8.2.5; Section 8.2	Yes	
Appendix B (g) (13) (F)	A discussion of compliance and monitoring programs proposed to ensure the effectiveness of mitigation measures incorporated into the project.		No Yes	<ul style="list-style-type: none"> Provide a mitigation and monitoring plan that addresses sensitive species including least Bell's vireo, San Joaquin kit fox, serpentine vegetation, and discusses revegetation of habitats that will be temporarily impacted by construction of the linear facilities (including mitigation for native tree removal).
Appendix B (g) (13) (G)	A discussion of native fish and wildlife species of commercial and/or recreational value that could be impacted by the project.		Yes No	<ul style="list-style-type: none"> Provide a discussion of commercial and recreational values for native fish and wildlife species that may be impacted by the project. (for example, do waterfowl and/or anadromous salmonids have the potential to occur within and be impacted by the project).

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Appendix B (g) (13) (H)	For purposes of this section, sensitive biological resources are one of the following:			
Appendix B (g) (13) (H) (i)	Species listed under state or federal Endangered Species Acts;	8.2-10 – 8.2-15/Section 8.2.2.2; 8.2-17 – 8.2-25/Section 8.2.2.5; <u>Section 8.2</u>	Yes	
Appendix B (g) (13) (H) (ii)	Resources defined in sections 1702 (q) and (v) of Title 20 of the California Code of Regulations; and	8.2-10 – 8.2-15/Section 8.2.2.2; 8.2-17 – 8.2-25/Section 8.2.2.5; <u>Section 8.2</u>	Yes	
Appendix B (g) (13) (H) (iii)	Species or habitats identified by legislative acts as requiring protection.	8.2-10 – 8.2-15/Section 8.2.2.2; 8.2-17 – 8.2-25/Section 8.2.2.5; <u>Section 8.2</u>	Yes	
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	Table 8.2-6, pp. 8.2-41 – 8.2-45/Section 8.2.6; <u>Section 8.2-</u>	Yes	(provide a final version of the Table).
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	Table 8.2-6, pp. 8.2-41 – 8.2-45/Section 8.2.6; <u>Section 8.2-</u>	Yes	(provide a final version of the Table).
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	Table 8.2-6, pp. 8.2-41 – 8.2-45/Section 8.2.6; <u>Section 8.2</u>	Yes	(provide a final version of the Table).
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.		No Yes	<ul style="list-style-type: none"> Provide a list that includes all the agency contacts, phone numbers, and other pertinent contact information.

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Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.		No	<ul style="list-style-type: none"> Provide a table that summarizes additional permit information (e.g., permits needed and the current status of permits) <u>that addresses the transmission line reconductoring and reclaim water line project components.</u>

Adequacy Issue: Adequate _____ Inadequate **X**

Technical Area: **Cultural Resources**

Project Manager: Sandra Fromm

DATA ADEQUACY WORKSHEET

Project: Gilroy Energy Center Phase II

Docket: 01-AFC-9

Revision No. 42 Date 8/22/01

Technical Staff: Dorothy Torres/Paul Shattuck

Technical Senior: Dale Edwards

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	AFC, p.8.4-2 to 8.4-6 AFC p. 8.3-17 & 18 AFC p. 8.3-19 AFC p. 8.3-20	Yes	
Appendix B (g) (2) (A)	A brief summary of the ethnology, prehistory, and history of the region in which the project site and related facilities are located and maps at a scale of 1:24,000, indicating areas of ethnographic occupation. The region may vary depending on the extent of the territory occupied or used by prehistoric cultures indigenous to the area in which the project is located.	AFC p. 8.3-1 to p. 8.3-10 AFC Fig. 8.3-1	Yes	

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Revision No. 42 Date 4/8/22/01
 Technical Staff: Dorothy Torres/Paul Shattuck
 Technical Senior: Dale Edwards

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Appendix B (g) (2) (B)	A description of all literature searches and field surveys used to provide information about known cultural resources in the project vicinity. If survey records of the area potentially physically affected by the project are not available, and the area has the potential for containing significant cultural resources, the applicant shall submit a new or revised survey for any portion of the area lacking comprehensive survey data. A discussion of the dates of the surveys, methods used in completing the surveys, and the identification and qualification of the individuals conducting the surveys shall be included.	AFC p. 8.3-10 AFC p. 8.3-10 to 11 AFC p. 8.3-10 <u>AFC Supplement Sec. 8.3, p. 5-8</u>	No	Please provide sufficient detail so that staff can begin an analysis. Provide a survey completed by an architectural historian of the project area and provide descriptions of historic cultural resources (buildings, structures, objects, sites, and districts) adjacent to the project (one property deep). The project will be built within a section of the City known as Old Gilroy. Is Old Gilroy or individual buildings that make up Old Gilroy eligible for listing on either the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR)? Please indicate any cultural resources identified in either the records search or survey that appear to be more than 45 years old. Please provide a resume for anyone conducting surveys or evaluating cultural resources for this project.
Appendix B (g) (2) (C)	A discussion of the sensitivity of the project area described in subsection (g)(2)(A) and the presence and significance of any known archeological sites and other cultural resources that may be affected by the project. Information on the specific location of archeological resources shall be included in a separate appendix to the application and submitted to the Commission under a request for confidentiality pursuant to Title 20, California Code of Regulations, § 2501 et seq.	AFC p. 8.3-3 to 8.3-4 <u>AFC Supplement Sec. 8.3B, p.1-30</u>	<u>No Yes</u>	Please provide site records for CA-SCL-714/H, Site P-1114, C-1226 & C-1227 and CA-SCL-94 and the Landmark Hirasake property. Please provide a copy of the map (in color) provided by the California Historic Resource Information System (CHRIS) that identifies the location of cultural resources. Please submit these requests under confidential cover.

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Appendix B (g) (2) (D)	A summary of contacts and communications with, and responses from, Native American representatives who may have an interest in heritage lands and/or resources potentially affected by the proposed project.	AFC p. 8.3-16 <u>AFC Supplement Sec. 8.3C, p. 1-34</u>	No <u>Yes</u>	The applicant states that Native Americans were notified as part of the permitting of Gilroy Phase I. This project has significant linear additions that were not included in the scope of that project. Please provide a summary (or copies of sent letters) that indicate that representatives of the Native American community that may have an interest in heritage lands and/or resources potentially affected by the Gilroy Phase II project have been contacted.
Appendix B (g) (2) (E)	In the discussion on mitigation and monitoring prepared pursuant to subsection (g)(1), a discussion of any educational programs proposed to enhance awareness of potential impacts to archeological resources by employees and contractors, measures proposed for mitigation of impacts to known cultural resources, and a set of contingency measures for mitigation of potential impacts to previously unknown cultural resources.	AFC p. 8.3-18 <u>AFC Supplement Sec. 8.3, p.2</u>	No <u>Yes</u>	The applicant states that training will be provided for supervisory personnel. Please provide a discussion of the educational program for all new employees.
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	AFC p. 8.3-20 AFC p. 8.3-22 AFC p. 8.3-20 to 22 AFC 8.3-20 to 22	Yes <u>Yes</u>	
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	AFC p. 8.3-22 <u>AFC Supplement Sec. 8.3A,</u>	No <u>Yes</u>	Please identify any local ordinances required by the City of Gilroy that pertain to cultural resources.

Adequacy Issue:	Adequate _____ Inadequate X	DATA ADEQUACY WORKSHEET	Revision No. <u>42</u>	Date <u>8/22/01</u>
Technical Area:	Cultural Resources	Project: Gilroy Energy Center Phase II	Technical Staff:	Dorothy Torres/Paul Shattuck
Project Manager:	<u>Sandra Fromm</u>	Docket: <u>01-AFC-9</u>	Technical Senior:	<u>Dale Edwards</u>

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	AFC p. 8.3-20	Yes	
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	AFC p. 8.3-22	Yes	
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	AFC p. 8.3-22	Yes	

Adequacy Issue: Adequate _____ Inadequate **X**

Technical Area: **Soils**

Project Manager: Robert Eller Sandra Fromm

DATA ADEQUACY WORKSHEET

Project: Gilroy Energy Center Phase II

Docket: 01-AFC-9

Revision No. 1 Date 6/21/01 8.22.01

Technical Staff: Nick Kautzman

Lorraine White

Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	Section 8.9.2; p. 8.9-4 to 8.9-7 Section. 8.9.4: p. 8.9-8 <u>GEC Draft Stormwater Pollution Prevention Plan (Revised June 12, 2001)</u> <u>AFC Supplement, August 6, 2001</u>	Yes	
Appendix B (g) (15) (A)	A map at a scale of 1:24,000 and written description of soil types and all agricultural land uses that will be affected by the proposed project. The description shall include:			
Appendix B (g) (15) (A) (i)	The depth, texture, permeability, drainage, erosion hazard rating, and land capability class of the soil; and	<u>AFC Supplement, August 6, 2001, Table 8.9-2 & -3 and response to Comment Appendix B (g) (15) (A) (ii)</u>	NO	Provide information showing the depth, texture, permeability, drainage erosion hazard rating, and land capability class of the soil <u>for all associated linear facilities</u> .
Appendix B (g) (15) (A) (ii)	An identification of other physical and chemical characteristics of the soil necessary to allow an evaluation of soil erodibility, permeability, re-vegetation potential, and cycling of pollutants in the soil-vegetation system.	<u>AFC Supplement, August 6, 2001, Table 8.9-2 & -3 and response to Comment Appendix B (g) (15) (A) (ii)</u>	NO	Please include the physical and chemical characteristics of the soil necessary to allow an evaluation of soil erodibility, permeability, re-vegetation potential, and cycling of pollutants in the soil-vegetation system <u>for all associated linear facilities</u> .
Appendix B (g) (15) (C)	An assessment of the effects of the proposed project on soil resources and agricultural land uses. This discussion shall include:			
Appendix B (g) (15) (C) (i)	The quantification of accelerated soil loss due to wind and water erosion;		N/A	

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: **Soils**
 Project Manager: Robert Eller Sandra Fromm

DATA ADEQUACY WORKSHEET

Project: Gilroy Energy Center Phase II
 Docket: 01-AFC-9

Revision No. 1 Date 6/21/01 8.22.01
 Technical Staff: Nick Kautzman
Lorraine White
 Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (15) (C) (iii)	The effect of power plant emissions on surrounding soil-vegetation systems.	S. 8.2.3.5; p. 8.2-31 to 8.2-38 Fig. 8.2-4 <u>AFC Supplement, August 6, 2001, response to Comment Appendix B (g) (15) (iii)</u> <u>GEC Draft Stormwater Pollution Prevention Plan (Revised June 12, 2001)</u>	NO <u>Yes</u>	Please provide the effects of power plant emissions on the surrounding soil-vegetation systems, not just outlying serpentine soils. Also address cooling tower drift and its possible direct, indirect and cumulative impacts. These sections should address the emission impacts from the newly permitted Phase I facility, The existing Co-Gen, plant and the proposed Phase II facility. Please provide a detailed discussion of the expected indirect and cumulative impacts due to the construction and operation of the project. This discussion should include adverse impacts to soils from plant emissions. Please provide any monitoring plans proposed to verify the effectiveness of the mitigation proposed in Section 8.9.4.
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	Section. 8.9.5; p 8.9-8 to 8.9-9 Table 8.9-2	YES	
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	Table 8.9-2	YES	
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	Table 8.9-2	YES	

Adequacy Issue:	Adequate _____ Inadequate X	DATA ADEQUACY WORKSHEET		Revision No. <u>1</u>	Date <u>6/21/01 8.22.01</u>
Technical Area:	Soils	Project:	Gilroy Energy Center Phase II	Technical Staff:	Nick Kautzman <u>Lorraine White</u>
Project Manager:	<u>Robert Eller Sandra Fromm</u>	Docket:	<u>01-AFC-9</u>	Technical Senior:	<u>Dick Anderson</u>

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	Table 8.9-3	YES	
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section. 8.9.7; p. 9.9-10 to 9.9-11 Table 8.9-4	YES	

Adequacy Issue: Adequate _____ Inadequate **X**

DATA ADEQUACY WORKSHEET

Revision No. 1 Date 8/14/01

Technical Area: Transmission System Eng.

Project: Gilroy Energy Center Phase II

Technical Staff: Mark Hesters

Project Manager: Sandra Fromm

Docket: 01-AFC-9

Technical Senior: Al McCuen

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (i) (2) (A)	A discussion of the need for the additional electric transmission lines, substations, or other equipment, the basis for selecting principal points of junction with the existing electric transmission system, and the capacity and voltage levels of the proposed lines, along with the basis for selection of the capacity and voltage levels.	Page 2-8 <u>Supplement to the AFC, Transmission Facilities page 1.</u>	No <u>Yes</u>	Provide the size and rating of the new conductor that is being used between Gilroy Foods and Llagas substations.

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: Transmission System Eng.
 Project Manager: Sandra Fromm

DATA ADEQUACY WORKSHEET

Revision No. 1 Date 8/14/01
 Technical Staff: Mark Hesters
 Technical Senior: Al McCuen

Project: Gilroy Energy Center Phase II
 Docket: 01-AFC-9

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (i) (2) (B)	A discussion of the extent to which the proposed electric transmission facilities have been designed, planned, and routed to meet the transmission requirements created by additional generating facilities planned by the applicant or any other entity.	Page 2-8 Page 7-1 <u>Supplement to the AFC, Transmission Facilities page 1</u>	No <u>Yes</u>	Provide a discussion of the extent to which the proposed electric transmission facilities have been designed, planned, and routed to meet the transmission requirements created by additional generating facilities planned by the applicant or any other entity.
Appendix B (b) (2) (C)	A detailed description of the design, construction, and operation of any electric transmission facilities, such as power lines, substations, switchyards, or other transmission equipment, which will be constructed or modified to transmit electrical power from the proposed power plant to the load centers to be served by the facility. Such description shall include the width of rights of way and the physical and electrical characteristics of electrical transmission facilities such as towers, conductors, and insulators. This description shall include power load flow diagrams which demonstrate conformance or nonconformance with utility reliability and planning criteria at the time the facility is expected to be placed in operation and five years thereafter; and	Page 2-8 Page 7-1 <u>Supplement Appendix 7a.</u>	No <u>Yes</u>	Provide load flow diagrams demonstrating conformance or non-conformance with utility reliability and planning criteria for the first year of operation. Analyze system with and without the project under stressed (peak and/or off-peak) conditions for the following: <ul style="list-style-type: none"> • n-0 • Important n-1s (analyst's judgement)¹ • Critical n-2s (analyst's judgement) • Transient stability analysis and post transient voltage analysis (Optional)² • Fault current analysis (Optional). Identify the reliability and planning criteria utilized to determine criteria violations. Power flow diagrams (MW/%) must be provided for base case with and without the project. Powerflow diagrams must be provided for all n-0, n-1 and n-2 studies where overloads or voltage violations appear. NOTE: Data requests will be forthcoming for analysis of N-2 critical contingency cases and for providing an electronic copy of Power flow base cases (*.sav files) for GE PSLF program.

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: Transmission System Eng.
 Project Manager: Sandra Fromm

DATA ADEQUACY WORKSHEET

Revision No. 1 Date 8/14/01
 Technical Staff: Mark Hesters
 Technical Senior: Al McCuen

Project: Gilroy Energy Center Phase II
 Docket: 01-AFC-9

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (b) (2) (D)	A description of how the route and additional transmission facilities were selected, and the consideration given to engineering constraints, environmental impacts, resource conveyance constraints, and electric transmission constraints.	Page 7-1 <u>Supplement to the AFC</u>	No	Describe how the additional downstream facilities were selected.
Appendix B (g) (18) (A)	The locations and a description of the existing switchyards and overhead and underground transmission lines that would be affected by the proposed project.	Page 7-1 <u>Supplement to the AFC, Transmission Facilities page 2, 3 and diagram.</u>	No <u>Yes</u>	Provide the locations and a description of the existing switchyards and overhead and underground transmission lines that would be affected by the proposed project. Provide a one-line diagram of the local area that includes important transmission lines and substations.
Appendix B (g) (18) (B)	An estimate of the existing electric and magnetic fields from the facilities listed in (A) above and the future electric and magnetic fields that would be created by the proposed project, calculated at the property boundary of the site and at the edge of the rights of way for any transmission line. Also provide an estimate of the radio and television interference that could result from the project.		NA	
Appendix B (g) (18) (C)	Specific measures proposed to mitigate identified impacts, including a description of measures proposed to eliminate or reduce radio and television interference, and all measures taken to reduce electric and magnetic field levels.		NA	
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	Pages 7-2 to 7-5	Yes	

Adequacy Issue: Adequate _____ Inadequate **X**

DATA ADEQUACY WORKSHEET

Revision No. 1 Date 8/14/01

Technical Area: Transmission System Eng.

Project: Gilroy Energy Center Phase II

Technical Staff: Mark Hesters

Project Manager: Sandra Fromm

Docket: 01-AFC-9

Technical Senior: Al McCuen

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	Pages 7-3 to 7-5	Yes	
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	Page 7-2	Yes	
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.			
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Supplement to the AFC. <u>Transmission Facilities</u> page 2.	No Yes	Indicate when the System Impact Study will be complete and when preliminary approval is expected from the California Independent System Operator.

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: Visual Resources
 Project Manager: Sandra Fromm

DATA ADEQUACY WORKSHEET

Project: Gilroy Energy Center Phase II Project
 Docket: 01-AFC-9

Revision No. 1 Date August 16, 2001

Technical Staff: Eric Knight
 Technical Senior: Dale Edwards

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	Pp. 8.11-13 – 8.11-15; Sec. 8.11.3.3 Pp. 8.11-15 – 8.11-20; Sec. 8.11.3.4 <u>Supplemental Filing (August 6, 2001), Pp. 1-2</u>	NOYES	In the discussion of cumulative impacts, the AFC states that there are no reasonably foreseeable future projects in the immediate vicinity that when combined with the Project (Phase I and Phase II) would result in a significant cumulative impact on visual resources. There is no mention of closely related past and present projects. Please provide a discussion of the cumulative visual impacts of the Project (Phase I and Phase II), including visible water vapor plumes, when considered with the visual effects of the existing Calpine Cogeneration Facility, the Gilroy Foods industrial complex, and any other industrial facilities occupying the project viewshed. The discussion should include a determination as to whether the Project would contribute to a significant cumulative visual impact, and whether the Project's contribution would be "cumulatively considerable."
Appendix B (g) (6) (A)	Descriptions of the existing visual setting of the vicinity of the project, the region that can be seen from the vicinity of the project, and the proposed project site. Include:	Pp. 8.11-1 – 8.11-11; Sec. 8.11.1	YES	
Appendix B (g) (6) (A) (i)	Topographic maps at a scale of 1:24,000 of the areas from which the project may be seen, identification of the view areas most sensitive to the potential visual impacts of the project, and the locations where photographs were taken for (g)(6)(E);		NO	The AFC refers to a Figure 8.11-1 that presumably depicts the areas from which the project may be seen, sensitive view areas, and the locations where the photographs were taken. This Figure was not included in the AFC. Please provide a topographic map at a scale of 1:24:000 that identifies the areas from which the project may be seen, the view areas most sensitive to potential visual impacts of the project, and the locations where the photographs were taken for (g)(6)(E).
Appendix B (g) (6) (A) (ii)	Elevations of any existing structures on the site; and	P. 8.11-3; Sec. 8.11.2	YES	
Appendix B (g) (6) (A) (iii)	The visual properties of the topography, vegetation, and any modifications to the landscape as a result of human activities.	Pp. 8.11-1 – 8.11-11; Sec. 8.11.1	YES	

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: Visual Resources
 Project Manager: Sandra Fromm

DATA ADEQUACY WORKSHEET

Revision No. 1 Date August 16, 2001
 Technical Staff: Eric Knight
 Technical Senior: Dale Edwards

Project: Gilroy Energy Center Phase II Project
 Docket: 01-AFC-9

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (6) (B)	An assessment of the visual quality of those areas that will be impacted by the proposed project.	P. 8.11-11; Sec. 8.11.1	YES	
Appendix B (g) (6) (C)	After discussions with staff and community residents who live in close proximity to the proposed project, identify the scenic corridors and any visually sensitive areas potentially affected by the proposed project, including recreational and residential areas. Indicate the approximate number of people using each of these sensitive areas and the estimated number of residences with views of the project. For purposes of this section, a scenic corridor is that area of land with scenic natural beauty, adjacent to and visible from a linear feature, such as a road, or river.	Pp. 8.11-6 – 8.11-10; Sec. 8.11.2.2 <u>Supplemental Filing (August 6, 2001), P. 2</u>	<u>NOYES</u>	<u>Please provide an estimate of the number of residences with views of the proposed Project.</u>
Appendix B (g) (6) (D)	A description of the dimensions, color, and material of each major visible component of the project.	Table 8.11-2; P. 8.11-14 Figure 2.2-2 <u>Supplemental Filing (August 6, 2001), P. 3</u>	<u>NOYES</u>	<u>According to the site plans in the AFC, the Project includes cooling towers. Please provide the dimensions (height, length, width) of the proposed cooling towers.</u>
Appendix B (g) (6) (E)	Full-page color photographic reproductions of the existing site, and full-page color simulations of the proposed project in the existing setting from each location representative of the view areas most sensitive to the potential visual impacts of the project.	Figures 8.11-4.A and 8.11-5.A Figures 8.11-4.B and 8.11-5.B	YES	
Appendix B (g) (6) (F)	An assessment of the visual impacts of the project, including light and glare, and visible plumes.	Pp. 8.11-19 – 8.11-20; Sec. 8.11.4 Pp. 8.11-14 – 8.11-15; Sec. 8.11.3.3 <u>Supplemental Filing (August 6, 2001), Pp. 3-4</u>	<u>NOYES</u>	<u>The AFC provides a general discussion of the visual impacts of visible plumes from the Project's exhaust stacks. Please provide a discussion of the potential visual impacts of plumes from the Project's cooling towers, including whether the plumes would be visible to viewers travelling along U.S. 101, located about 1 mile from the Project site, and according to the AFC, a State Scenic Highway.</u>

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: Visual Resources
 Project Manager: Sandra Fromm

DATA ADEQUACY WORKSHEET

Revision No. 1 Date August 16, 2001
 Technical Staff: Eric Knight
 Technical Senior: Dale Edwards

Project: Gilroy Energy Center Phase II Project
 Docket: 01-AFC-9

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	Tables 8.11-3 and 8.11-5; Pp. 8.11-21 – 8.11-26 PP. 8.4-12 – 8.4-13; Sec. 8.4.1.3 Table 8.4-5; P. 8.4-20 <u>Supplemental Filing (August 6, 2001), Pp. 4-8; Table 8.11-4B</u>	<u>NOYES</u>	<u>The AFC indicates that the City of Gilroy Industrial Design Guidelines apply to the Project. Please list all of the relevant guidelines from this planning document.</u>
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	Table 8.11-5; P. 8.11-26	YES	
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	Tables 8.11-3 and 8.11-5; Pp. 8.11-21 – 8.11-26 <u>Supplemental Filing (August 6, 2001), Pp. 4-8; Table 8.11-4B</u>	<u>NOYES</u>	<u>Please discuss how the Project intends to comply with all the relevant guidelines of the City's Industrial Design Guidelines.</u>
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	Table 8.11-5; P. 8.11-26	YES	
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	P. 8.11-26; Sec. 8.11.7 <u>Supplemental Filing (August 6, 2001), P. 8</u>	<u>NOYES</u>	<u>The AFC states that a zoning variance from the City of Gilroy may be required to allow the Project's 85-foot tall exhaust stacks to exceed the 75-foot height restriction in the M-2 zoning district. Please provide a schedule indicating when the applicant will obtain the variance and the steps the applicant has taken or plans to take to obtain the variance.</u>

Adequacy Issue: Adequate _____ Inadequate **X**

Technical Area: **Water Resources**

Project Manager: Bob Eller Sandra Fromm

DATA ADEQUACY WORKSHEET

Project: Gilroy Energy Center (Phase II)

Docket: 01-AFC-9

Revision No. 01 Date 6-21-01 8.22.01

Technical Staff: Nick Kautzman/Lorraine White

Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	<p>Section 8.14, p. 8.14-1 to 8.14-28</p> <p>Section 2.2.7, p. 2-9 to 2-12</p> <p>Sections 2.4.2.3 & 2.4.4, p. 2-21</p> <p>Section 5.7, p. 5-5 & 5-6</p> <p>Figure 2.2-5</p> <p>Table 8.14-3, p. 8.14-10</p> <p><u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, responses to Comment Section 25552 (e) (1) (all) and p. 7-11</u></p>	NO	<p>Please provide additional information on the existing facility, including water demand, water source, supply & discharge chemical characteristics, on-site treatment facilities, drainage, storage facilities and permits. Differentiate between the existing facility and the recently licensed peaker facility.</p> <p>Please provide a discussion of construction related direct, indirect and cumulative impacts to water resources from project demand and wastewater discharge. <u>The provided discussion is limited only to onsite demand.</u></p> <p>Provide a complete description of the water demands and wastewater discharges of the existing facility as compared to the increased demands for the new project (average and peak).</p> <p>Please provide a discussion of the indirect and cumulative impacts associated with the operation and maintenance of the project. Please clarify if as part of the proposed project, the applicant intends to build additional cooling towers and, if so, what the increase in water demand and discharge may be for the facility. If the proposal is to use existing cooling facilities, please provide all relevant information on their construction, current water demand and increased demands associated with this project.</p> <p>Please clarify if there will be an increased load on the existing sanitary system and drinking water supplies as a result of this Phase II project as opposed to that of the Phase I or existing facilities. <u>Include a description of the existing sanitary and drinking water systems.</u></p> <p>Please provide information on any monitoring activities needed to ensure that the project will not have adverse impacts on groundwater resources, waste treatment facilities and potential resolution in the event impacts are discovered.</p>

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: **Water Resources**
 Project Manager: Bob Eller Sandra Fromm

DATA ADEQUACY WORKSHEET

Project: Gilroy Energy Center (Phase II)

Docket: 01-AFC-9

Revision No. 01 Date 6.21.01 8.22.01
 Technical Staff: Nick Kautzman/Lorraine White
 Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (14) (A)	All information required by the Regional Water Quality Control Board in the region where the project will be located to apply for:			
Appendix B (g) (14) (A) (i)	Waste Discharge Requirements; and	Figure 2.2-5 Table 8.14-3, p. 8.14-10 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, p. 7-11, 13</u>	NO	Since the applicant is considering two possible sources for its water supply that may be used separately or in combination, please provide information on water quality characteristics for any possible supply and discharge scenarios. Please specify which of these options is the preferred water supply. Please provide water quality information on all wastewater streams to be discharged to the Morgan Hill/Gilroy WWTP for all water supply sources and combinations. Please differentiate between existing and recently approved wastewater streams and those generated by the Phase II project. Include in this information, sanitary, process and cooling water systems. Please specify the industrial waste discharge limits adopted by Morgan Hill/Gilroy WWTP that will apply to this facility (Table 8.14-3 only provides those listed in 40 CFR423.17).
Appendix B (g) (14) (A) (ii)	a National Pollutant Discharge Elimination System Permit.	Section 8.14.1.1, p. 8.14-2 Table 8.14-1 & 8.14-2 Section 8.14.2.4, p. 8.14-17 to p. 8.14-20 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources p. 13.</u> <u>GEC Draft Stormwater Pollution Prevention Plan, Revised June 12, 2001</u>	<u>NO Yes</u>	The AFC contains contradictory statements regarding the need for an operational NPDES permit (see pg. 8.14-1 & Table 8.14-7). Please clarify if the SFBRWQCB will require a new NPDES permit for the Phase II project or an amendment of existing permits. The AFC states that stormwater management controls have been incorporated into the spill prevention and BMP's for the Phase I for this project. Please provide verification of this and submit relevant documentation.

Adequacy Issue: Adequate _____ Inadequate **X**

Technical Area: **Water Resources**

Project Manager: Bob Eller Sandra Fromm

DATA ADEQUACY WORKSHEET

Project: Gilroy Energy Center (Phase II)

Docket: 01-AFC-9

Revision No. 01 Date 6-21-01 8.22.01

Technical Staff: Nick Kautzman/Lorraine White

Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (14) (B)	A description of the hydrologic setting of the project. The information shall describe, in writing and on maps at a scale of 1:24,000, the chemical and physical characteristics of the following water bodies that may be affected by the proposed project:			
Appendix B (g) (14) (B) (i)	Ground water bodies and related geologic structures;	Section 8.14.1.2, p. 8.14-3 to 8.14-5 Table 8.14-4000000000	NO	Please provide hydrostratigraphic (map) information at specified scale or greater detail if necessary that clearly identifies the aquifers in the area of the project as described on p. 8.14-4 to 8.14-5. Include in this map an identification of relative locations of the wells to be used by the project, and a depiction of the the wells construction (include all relevant details such as screening intervals and depth).
Appendix B (g) (14) (B) (ii)	Surface water bodies; and	Section 8.14.1.3, p. 8.14-6 to 8.14-7 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, p. 15</u>	NO	Please provide chemical characteristics and water quality information for all surface water bodies mentioned in this section <u>Lagas Creek and any water body that may be impacted by the construction of linear facilities.</u> Section 8.2 does not contain any chemical or water quality information. Please provide physical descriptions for the individual creeks and drainages identified on p. 8.14-6 and 8.14-7.
Appendix B (g) (14) (B) (iii)	Water inundation zones, such as the 100-year flood plain and tsunami run-up zones.	P. 8.14-7 Figure 8.14-1 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, response to Comment Appendix B (g) (14) (B) (iii), p. 16</u>	NO <u>Yes</u>	The map (Figure 8.14-1) provided appears to be inconsistent with the discussion provided on page 8.14-7. Please explain the sites current designation in relationship to surrounding areas that are designated 100-year flood zone or undetermined.
Appendix B (g) (14) (C)	A description of the water to be used and discharged by the project. This information shall include:			

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: **Water Resources**
 Project Manager: Bob Eller Sandra Fromm

DATA ADEQUACY WORKSHEET

Project: Gilroy Energy Center (Phase II)
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Revision No. 01 Date 6-21-01 8.22.01
 Technical Staff: Nick Kautzman/Lorraine White
 Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (14) (C) (i)	Source of the water and the rationale for its selection, and if fresh water is to be used for power plant cooling purposes, a discussion of all other potential sources and an explanation why these sources were not feasible;	Section 8.14.1.4, p. 8.14-9 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, responses to Comment Appendix (g) (14) (C) (i) and p. 20-22</u>	NO	Please provide verification in the form of a "Will Serve" Letter from the agencies providing reclaimed water (South County Regional Waste Water Authority) and drinking water (Gilroy Community Services District). Please provide a discussion of the use of dry cooling and irrigation return flows in the area; explain why these sources are not feasible. This discussion should include all technical & economic factors (including cost estimates and assumptions) used in the analysis. Please provide verification that the reclaimed water proposed for use by the project meets Title 22 requirements.
Appendix B (g) (14) (C) (ii)	The physical and chemical characteristics of the source and discharge water;	Section 8.14.2.1, p. 8.14-11 to Section 8.14.2.2, p. 8.14-15 Table 8.14-3 Table 8.14-4 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, response to Comment Appendix B (g) (14) (C) (ii), p. 16 & 17</u>	NO	Please provide the footnotes for Table 8.14-4. Please provide physical and chemical characteristics for any expected combination of the source waters for both influent and effluent streams for the project. If the project's wastewater is combined with other wastewater streams from the existing facility and Phase II project, please differentiate between the streams as well as provide physical and chemical characteristics of the overall wastewater stream to be discharged to Morgan Hill/Gilroy WWTP. Please provide characteristics of surface runoff proposed to be discharged to the collection pond
Appendix B (g) (14) (C) (iii)	Average and maximum daily and annual water demand and waste water discharge for both the construction and operation phases of the project; and	P. 8.14-11 & 8.14-15 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, response to Comment Appendix B (g) (14) (C) (iii), p. 7- 10, 17</u>	NO <u>Yes</u>	Please provide information on the maximum and average water demands and wastewater discharge for the construction phase. Please provide average and maximum daily and annual water demand and waste water discharge information for all anticipated source water combination scenarios.

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: **Water Resources**
 Project Manager: Bob Eller Sandra Fromm

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Project: Gilroy Energy Center (Phase II)
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Revision No. 01 Date 6-21-01 8.22.01
 Technical Staff: Nick Kautzman/Lorraine White
 Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (14) (C) (iv)	A description of all facilities to be used in water conveyance, treatment, and discharge. Include a water mass balance diagram.	Figure 2.2-5 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, response to Comment Appendix B (g) (14) (B) (iii), p. 10-11; Appendix (g) (14) (C) (iv), p. 17 & 18</u> <u>AFC Supplement, August 6, 2001, Appendix 8.14 E, E</u>	NO	Figure 2.2-5 is incomplete. Please provide a water mass balance for the entire facility (existing and new) that clearly shows the interconnection of the new project to the existing facility and differentiates between the two. Please provide a description of all facilities to be used in conveyance, treatment and discharge for the project and differentiate between those currently in existence, under construction, approved but not yet built and those proposed as part of this proposal. If facilities not explicitly a part of this Phase II are to be used, please provide adequate information to demonstrate that they can serve the project. Please provide information on the facility chosen to receive wastewater discharges from the plant. Please provide a description of the discharge collection pond and the stormwater conveyance system (used for the entire project). This discussion should include past, present and future uses. Please clarify if the catch basin discharges to any surface drainage or municipal system. Please identify all secondary discharge points and site protections (p. 8.14-18) analyzed and approved as part of the Phase I certification for the Phase II proposal.
Appendix B (g) (14) (D)	A description of pre-, and post-construction runoff and drainage patterns, including:	N/a	NO	A description of pre-, and post-construction runoff and drainage patterns. Please differentiate between the conditions prior to Phase I, post-Phase I and post Phase II. Provide a diagram that shows these facilities.
Appendix B (g) (14) (D) (i)	Precipitation and storm runoff patterns; and	Table 8.14-1 & 8.14-2 <u>AFC Supplement, August 6, 2001, Appendix 8.14 A, Figure 5</u>	NO <u>Yes</u>	Please provide information on stormwater runoff patterns at and around the site.

Adequacy Issue: Adequate _____ Inadequate **X**

Technical Area: **Water Resources**

Project Manager: Bob Eller Sandra Fromm

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Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (14) (D) (ii)	Drainage facilities and design criteria.	P. 8.14-18 & 8.14-19 <u>AFC Supplement, August 6, 2001, Appendix 8.14 A & B</u>	NO	The AFC states that site protections and stormwater management controls for Phase II have been incorporated into the spill prevention and BMP's for Phase I (p. 8.14-18 & 8.14-19). Please provide all information related to the drainage facilities currently proposed under Phase I (differentiating between those needed for Phase I and II) and the design criteria used. Include in this information a map that shows the location, construction details and dimensions of these facilities. Also include all analysis and calculations done during the proceeding for the Phase I project approval that specifically address those facilities needed for Phase II.
Appendix B (g) (14) (E)	An assessment of the effects of the proposed project on water resources. This discussion shall include:	p. 8.14-15 & 8.14-16 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources, p. 18</u>	NO	Please provide a discussion of possible direct, indirect and cumulative impacts of wastewater discharges for all source water combinations (not just 100 percent reclaimed water) on the receiving facility, Morgan Hill/Gilroy WWTP. This information should identify any changes to the facilities needed to serve this project, effects on capacity, discharge characteristics, permit limitations, any aquatic impacts, and assumptions used in the analysis.

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: **Water Resources**
 Project Manager: Bob Eller Sandra Fromm

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Project: Gilroy Energy Center (Phase II)
 Docket: 01-AFC-9

Revision No. 01 Date 6.21.01 8.22.01
 Technical Staff: Nick Kautzman/Lorraine White
 Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (14) (E) (i)	The effects of project demand on the water supply and other users of this source;	p. 8.14-20 <u>AFC Supplement, August 6, 2001, section 8.14 Water Resources p. 18, 19, 20</u> <u>AFC Supplement, August 6, 2001, Appendix 8.14C, D, F</u>	NO	Please provide a discussion that quantifies the impacts of the project on current and forecasted water supplies and treatment capacity of all water sources and the wastewater treatment plant. Please provide an assessment of the impacts to groundwater supplies and on other users, including agriculture, of this supply assuming 100 percent well water demand for the project. Include in this assessment a discussion of the cumulative impacts associated with the existing facilities water use (Gilroy Foods, Cogeneration Facility and the recently licensed peaker units). Please provide a discussion of potential impacts to neighboring wells within 1.0 mile (including private wells) as a result of supplying groundwater to the project and how these impacts were assessed. Include in this assessment a discussion of impacts under various source water combinations and associated cumulative impacts, particularly for the recently licensed peaker facility. Please provide an assessment of impacts on the reclaimed water system and any improvements necessary to provide service to the project. Please provide all assumptions, calculations, data sources and quantifications associated with the above assessments. Please provide information on proposed mitigation and monitoring in the event that the above assessments/analysis identify possible adverse impacts.

Adequacy Issue: Adequate _____ Inadequate **X**
 Technical Area: **Water Resources**
 Project Manager: Bob Eller Sandra Fromm

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Project: Gilroy Energy Center (Phase II)

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Technical Staff: Nick Kautzman/Lorraine White

Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (14) (E) (ii)	The effects of construction activities and plant operation on water quality; and	Sections 8.14.2.6 and 8.14.2.7, p. 8.14-21	NO	It appears that project related linear facilities may cross or impact creeks, sloughs and or drainages. Please provide an assessment of any water quality related impacts to surface water bodies crossed during the construction of the linear facilities. Include in this discussion the need to de-water any of these drainages, directional drill or redirect flows to other watercourses and the effects of doing such. Specify any construction practices or specific management practices that will be employed to assure water quality protection for surface water bodies and monitoring necessary to ensure protection.
Appendix B (g) (14) (iii)	The effects of the project on the 100-year flood plain or other water inundation zones.	Section 8.14.2.4	NO	Please provide a discussion of the project's affects on adjacent properties identified within the 100 year flood plain (Figure 8.14-1) and any other nearby inundation zone.
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	Table 8.14-5, p. 8.14-24 to 8.14-25 <u>AFC Supplement, August 6, 2001, response to Comment Section 25552 (e) (3) (ALL); p. 13-15</u>	NO <u>Yes</u>	Please provide a break down of the specific laws, regulations, ordinances, standards, adopted local plans, and permits applicable to the proposed project, and a discussion of the applicability of each. <u>Please revise the table to include Water Resource Code (WRC) Section 13550 et seq. If creeks, sloughs or drainages are crossed, please provide information on laws, regulations, ordinances, standards or permits that may be required.</u>
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	Table 8.14-6 <u>AFC Supplement, August 6, 2001, response to Comment Section 25552 (e) (3) (ALL); p. 13-15, 18</u>	NO <u>Yes</u>	Please correct the table to reflect the actual RWQCB that has jurisdiction over this project. If creeks, sloughs or drainages are crossed, please provide contact information for agencies with jurisdiction to implement and enforce applicable laws, regulations, ordinances, standards or permits that may be required.

Adequacy Issue: Adequate _____ Inadequate **X**

Technical Area: **Water Resources**

Project Manager: Bob Eller Sandra Fromm

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Revision No. 01 Date 6.21.01 8.22.01

Technical Staff: Nick Kautzman/Lorraine White

Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	Table 8.14-5 <u>AFC Supplement, August 6, 2001, response to Comment Section 25552 (e) (3) (ALL); p. 13-15, 23</u>	NO	Please provide a discussion of the project conformance under all proposed water supply scenarios to WRC Section 13550 et seq. Provide a discussion of the proposals conformance to the local requirements included in the revised table 8.14-5. If creeks, sloughs or drainages are crossed, please provide a discussion of the project conformance with any laws, regulations, ordinances, standards or permits that may be required. <u>Please include the proposed natural gas pipeline and transmission line upgrades.</u>
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	Table 8.14-6 <u>AFC Supplement, August 6, 2001, Section 8.14 Water Resources, p. 15</u>	NO <u>Yes</u>	Please correct the table to reflect the actual RWQCB that has jurisdiction over this project. Please provide address information for all parties listed in this table.
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Table 8.14-7 <u>AFC Supplement, August 6, 2001, Section 8.14 Water Resources, p. 18</u>	NO <u>Yes</u>	If creeks, sloughs or drainages are crossed, please provide a schedule for obtaining necessary permits or approvals.

Adequacy Issue:

Adequate

Inadequate

X**DATA ADEQUACY WORKSHEET**

Revision No.

02

Date

August 30, 2001

(Four Month Expedited Process)

Technical Area:

Air Quality

Project:

Gilroy Energy Center Phase II Project

Technical Staff:

Joseph M. Loyer

Project Manager:

Sandra Fromm

Docket:

01-AFC-9

Technical Senior:

Keith Golden

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)	...the application shall...include a description of the proposed conditions of certification that will do all of the following:			
§25552(e)(1) (All)	[a]ssure that the thermal power plant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation;	Page 8.1-54, Table 8.1-19 Page 8.1-74, Table 8.1-28 Response to data adequacy Letter to Joe Loyer, dated 8/29/01	Yes	
§25552(e)(2) (All)	[a]ssure protection of public health and safety;	Page 8.1-54, Table 8.1-19 Page 8.1-74, Table 8.1-28 Response to data adequacy Letter to Joe Loyer, dated 8/29/01	Yes	
§25552(e)(3) (All)	[r]esult in compliance with all applicable federal, state, and local laws, ordinances, and standards;	Page 8.1-68 – 70 Table 8.1-25 Response to data adequacy	Yes	
§25552(e)(4) (All)	[a] reasonable demonstration that the thermal power plant and related facilities, if licensed on the expedited schedule..., will be in service before December 31, 2002;	App 8.1-4.4 Pages 2-18, 1-6, 1-7, 8.8-10 App 8.1-4.1	Yes	
§25552(e)(5)	[a] binding and enforceable agreement with the commission, that demonstrates either of the following:			
§25552(e)(5)(A) (Project Overview)	[t]hat the thermal power plant will cease to operate and the permit will terminate within three years; or	Page 1-6, 4 th bullet	No	The applicant indicates that they will continue to operate the facility as a peaking plant for 20 years.

Adequacy Issue:

Adequate

Inadequate

X**DATA ADEQUACY WORKSHEET**

Revision No.

02

Date

August 30, 2001

(Four Month Expedited Process)

Technical Area:

Air Quality

Project:

Gilroy Energy Center Phase II Project

Technical Staff:

Joseph M. Loyer

Project Manager:

Sandra Fromm

Docket:

01-AFC-9

Technical Senior:

Keith Golden

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)(5)(B) (Air Quality)	[t]hat the thermal power plant will be re-certified, modified, replaced, or removed within a period of three years with a cogeneration or combined-cycle thermal power plant that uses best available control technology and obtains necessary offsets, as determined at the time the combine-cycle thermal power plant is constructed, and that complies with all other applicable laws, ordinances, and standards;	Page 1-6, 4 th bullet	No	The applicant indicates that they will not be converting the facility to either a combined cycle or cogeneration operation.
§25552(e)(6) (Air Quality)	Where applicable, that the thermal power plant will obtain offsets or, where offsets are unavailable, pay an air emissions mitigation fee to the air pollution control district or air quality management district based upon the actual emissions from the thermal power plant, to the district for expenditure by the district pursuant to Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code, to mitigate the emission from the plant. To the extent consistent with federal law and regulation, any offsets required pursuant to this paragraph shall be based upon a 1:1 ratio, unless, after consultation with the applicable air pollution control district or air quality management district, the commission finds that a different ratio should be required.	Page 8.1-74, Table 8.1-28 Letter to Joe Loyer, dated 8/29/01	Yes	

Adequacy Issue:	Adequate	Inadequate	X	DATA ADEQUACY WORKSHEET	Revision No.	01	Date	8/09/01
				(Four Month Expedited Process)				
Technical Area:	Biology			Project:	Gilroy Energy Center Phase II	Technical Staff:	Tom Scofield	
Project Manager:	Sandra Fromm			Docket:		Technical Senior:	Jim Brownell	

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)	...the application shall...include a description of the proposed conditions of certification that will do all of the following:			

Adequacy Issue:	Adequate _____ Inadequate X	DATA ADEQUACY WORKSHEET		Revision No. 01	Date 8/09/01
		(Four Month Expedited Process)			
Technical Area:	Biology _____	Project:	Gilroy Energy Center Phase II	Technical Staff:	Tom Scofield
Project Manager:	Sandra Fromm _____	Docket:	_____	Technical Senior:	Jim Brownell

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)(1) (All)	[a]ssure that the thermal powerplant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation;	pp. 8.2-1 – 8.2-25/Section 8.2; pp. 8.2-25 – 8.2-38/Sections 8.2.3 & 8.2.4; pp. 8.2-38 – 8.2-40/8.2.5.	No	<ul style="list-style-type: none"> Provide the results of the USFWS protocol-level surveys for least Bell's vireo. Include a discussion of all potential impacts to this species and all related agency correspondence and requirements. Provide information on potential cooling tower drift impacts. If applicable, provide measures to mitigate adverse impacts to sensitive vegetation communities and/or sensitive wildlife species, including Bay Checkerspot butterfly, resulting from cooling tower drift. <u>Provide a discussion of all potential impacts to least Bell's vireo (LBV) and all related agency correspondence. This discussion should address potential impacts to this species, as well as other sensitive species; based on the new project description that includes 28-30 miles of transmission line reconductoring and a reclaim water line.</u> <u>Provide a detailed description of the transmission line reconductoring and reclaim water line project components. The description should include specific methodologies/plans that will be used to construct these linear facilities (e.g., construction methodologies, access plans, grading plans, etc.).</u> <u>Provide a detailed description of the existing site conditions along the transmission line reconductoring and reclaim water line facilities (e.g., vegetation communities, sensitive habitat types, aquatic resources, etc.).</u> Provide a discussion (perhaps within a mitigation and monitoring plan) that details the actions that will be taken if special status species are observed onsite prior to or during construction activities. Specifically

Adequacy Issue:	Adequate _____ Inadequate X	DATA ADEQUACY WORKSHEET		Revision No.	01	Date	8/09/01
		(Four Month Expedited Process)					
Technical Area:	Biology _____	Project:	Gilroy Energy Center Phase II	Technical Staff:	Tom Scofield		
Project Manager:	Sandra Fromm	Docket:	_____	Technical Senior:	Jim Brownell		

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)(2) (All)	[a]ssure protection of public health and safety;		N/A	
§25552(e)(3) (All)	[r]esult in compliance with all applicable federal, state, and local laws, ordinances, and standards;		No	<ul style="list-style-type: none"> <u>The applicant needs to provide information regarding federal, state, and local LORS that will apply to transmission line reconductoring and reclaim water line project components.</u>
§25552(e)(4) (All)	[a] reasonable demonstration that the thermal powerplant and related facilities, if licensed on the expedited schedule..., will be in service before December 31, 2002;		N/A	
§25552(e)(5)	[a] binding and enforceable agreement with the commission, that demonstrates either of the following:			
§25552(e)(5)(A) (Project Overview)	[t]hat the thermal powerplant will cease to operate and the permit will terminate within three years; or		N/A	
§25552(e)(5)(B) (Air Quality)	[t]hat the thermal powerplant will be recertified, modified, replaced, or removed within a period of three years with a cogeneration or combined-cycle thermal powerplant that uses best available control technology and obtains necessary offsets, as determined at the time the combine-cycle thermal powerplant is constructed, and that complies with all other applicable laws, ordinances, and standards;		N/A	

Adequacy Issue:	Adequate	Inadequate	X	DATA ADEQUACY WORKSHEET	Revision No.	01	Date	8/09/01
				(Four Month Expedited Process)				
Technical Area:	Biology			Project:	Gilroy Energy Center Phase II	Technical Staff:	Tom Scofield	
Project Manager:	Sandra Fromm			Docket:		Technical Senior:	Jim Brownell	

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)(6) (Air Quality)	Where applicable, that the thermal powerplant will obtain offsets or, where offsets are unavailable, pay an air emissions mitigation fee to the air pollution control district or air quality management district based upon the actual emissions from the thermal powerplant, to the district for expenditure by the district pursuant to Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code, to mitigate the emission from the plant. To the extent consistent with federal law and regulation, any offsets required pursuant to this paragraph shall be based upon a 1:1 ratio, unless, after consultation with the applicable air pollution control district or air quality management district, the commission finds that a different ratio should be required.		N/A	

Adequacy Issue:	Adequate	Inadequate	X	DATA ADEQUACY WORKSHEET	Revision No.	<u>02</u>	Date	<u>6/8/2022</u> /01
				(Four Month Expedited Process)		<u>0</u>		
Technical Area:	<u>Cultural Resources</u>			Project:	Gilroy Energy Center	Technical Staff:	Dorothy Torres/ <u>Paul Shattuck</u>	
Project Manager:	<u>Sandra Fromm</u>			Docket:	<u>01-AFC-9</u>	Technical Senior:	Dale Edwards	

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)	...the application shall...include a description of the proposed conditions of certification that will do all of the following:			
§25552(e)(1) (All)	[a]ssure that the thermal powerplant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation;		No	<u>To assure that the facilities will not have a significant adverse effect on the environment, please Provide documentation on the depth and boundaries of the site associated with the directional drilling. provide a site investigation plan that details the steps that will be taken to ensure no significant adverse impacts will occur at the previously identified site 714H.</u>
§25552(e)(2) (All)	[a]ssure protection of public health and safety;		NA	
§25552(e)(3) (All)	[r]esult in compliance with all applicable federal, state, and local laws, ordinances, and standards;	<u>AFC Supplement Sec. 8.3A</u>	<u>No</u> <u>Yes</u>	<u>Provide local LORS for the City of Gilroy</u>
§25552(e)(4) (All)	[a] reasonable demonstration that the thermal powerplant and related faciities, if licensed on the expedited schedule..., will be in service before December 31, 2002;		NA	
§25552(e)(5)	[a] binding and enforceable agreement with the commission, that demonstrates either of the following:			
§25552(e)(5)(A) (Project Overview)	[t]hat the thermal powerplant will cease to operate and the permit will terminate within three years; or		NO	Page 1-6 says they have an agreement that they will operate for 20 years.
§25552(e)(5)(B) (Air Quality)	[t]hat the thermal powerplant will be recertified, modified, replaced, or removed within a period of three years with a cogeneration or combined-cycle thermal powerplant that uses best available control technology and obtains necessary offsets, as determined at the time the combine-cycle thermal powerplant is constructed, and that complies with all other applicable laws, ordinances, and standards;			

Adequacy Issue:	Adequate	Inadequate	X	DATA ADEQUACY WORKSHEET (Four Month Expedited Process)	Revision No.	<u>02</u>	Date	<u>6/20/2022</u> /01
Technical Area:	<u>Cultural Resources</u>				Project:	<u>Gilroy Energy Center</u>		Technical Staff:
Project Manager:	<u>Sandra Fromm</u>			Docket:	<u>01-AFC-9</u>		Technical Senior:	<u>Dale Edwards</u>

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)(6) (Air Quality)	Where applicable, that the thermal powerplant will obtain offsets or, where offsets are unavailable, pay an air emissions mitigation fee to the air pollution control district or air quality management district based upon the actual emissions from the thermal powerplant, to the district for expenditure by the district pursuant to Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code, to mitigate the emission from the plant. To the extent consistent with federal law and regulation, any offsets required pursuant to this paragraph shall be based upon a 1:1 ratio, unless, after consultation with the applicable air pollution control district or air quality management district, the commission finds that a different ratio should be required.			

Adequacy Issue:	Adequate	Inadequate X	DATA ADEQUACY WORKSHEET		Revision No. 01	Date 8/14/2001
			(Four Month Expedited Process)			
Technical Area:	Transmission System Engineering		Project:	Gilroy Energy Center Phase II	Technical Staff:	Mark Hesters
Project Manager:	Sandra Fromm		Docket:	01-AFC-9	Technical Senior:	Al McCuen

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)	...the application shall...include a description of the proposed conditions of certification that will do all of the following:			
§25552(e)(1) (All)	[a]ssure that the thermal powerplant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation;	Supplement to the AFC Transmission Facilities §7.0	No	<p>The interconnection study and supplemental information indicate that mitigation of the overload of two transmission lines will be required prior to the interconnection of the proposed project. Provide a detailed description of the mitigation measures required for interconnection.</p> <p>Provide load flow diagrams demonstrating conformance or non-conformance with utility reliability and planning criteria for the first year of operation. Where mitigation measures are required for conformance indicate the measures that will be adopted in association with the project.</p>
§25552(e)(2) (All)	[a]ssure protection of public health and safety;	Pages 7-2 to 7-5	Yes	
§25552(e)(3) (All)	[r]esult in compliance with all applicable federal, state, and local laws, ordinances, and standards;	Pages 7-2 to 7-5	Yes	
§25552(e)(4) (All)	[a] reasonable demonstration that the thermal powerplant and related faciities, if licensed on the expedited schedule..., will be in service before December 31, 2002;	Supplement to the AFC Transmission Facilities §7.0	No	Significant transmission mitigation measures could jeopardize the project and these measures will not be known until the facility cost report is complete.

Adequacy Issue:	Adequate _____ Inadequate X	DATA ADEQUACY WORKSHEET (Four Month Expedited Process)	Revision No. <u>00</u> <u>1</u>	Date <u>6/22/01</u> <u>8.22.01</u>
Technical Area:	<u>Water Resources</u>	Project: <u>Gilroy Energy Center Phase II</u>	Technical Staff:	<u>Nick Kautzman</u> <u>Lorraine White</u>
Project Manager:	<u>Robert Eller Sandra Fromm</u>	Docket: <u>01-AFC-9</u>	Technical Senior:	<u>Dick Anderson</u>

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)	...the application shall...include a description of the proposed conditions of certification that will do all of the following:			
§25552(e)(1) (All)	[a]ssure that the thermal powerplant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation;	<u>AFC Supplement, August 6, 2001, Section 8.14, response to Comment Section 25552 (e) (1) (ALL)</u>	<u>NO</u> <u>Yes</u>	<u>Please provide project specific mitigation measures appropriate for project impacts. The language should specifically state what mitigation will be accomplished with specific verification to ensure that the powerplant and related facilities will not have a significant adverse effect on the environment as a result of construction or operation.</u>
§25552(e)(2) (All)	[a]ssure protection of public health and safety;	Not Applicable		
§25552(e)(3) (All)	[r]esult in compliance with all applicable federal, state, and local laws, ordinances, and standards;	Section 8.14.6 p. 8.14-23 to 8.14-26 <u>AFC Supplement, August 6, 2001, Section 8.14, response to Comment Section 25552 (e) (1) (ALL); p. 17, 18, 23</u>	NO	All applicable LORS have not been addressed in the application. No Conditions of Certification are proposed and the analysis required to determine appropriate Conditions of Certification has not been done. <u>Please include those applicable to the natural gas pipeline. Table 8.14-7 does not include Water Resource (WRC) Section 13550 et seq. Please provide a discussion of the project conformance under all proposed water supply scenarios to WRC Section 13550 et seq. Provide a discussion of the proposals conformance to the local requirements included in the revised table 8.14-5.</u> If creeks, sloughs or drainages are crossed, please provide information on laws, regulations, ordinances, standards or permits that may be required <u>— please include those for the natural gas pipeline and any transmission lines.</u>

Adequacy Issue:	Adequate	Inadequate	X	DATA ADEQUACY WORKSHEET	Revision No.	00 1	Date	6/22/01 8.22.01
				(Four Month Expedited Process)				
Technical Area:	<u>Water Resources</u>			Project:	Gilroy Energy Center Phase II		Technical Staff:	Nick Kautzman <u>Lorraine White</u>
Project Manager:	<u>Robert Eller Sandra Fromm</u>			Docket:	<u>01-AFC-9</u>		Technical Senior:	<u>Dick Anderson</u>

SB 28 SHER REQUIREMENTS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§25552(e)(4) (All)	[a] reasonable demonstration that the thermal powerplant and related faciities, if licensed on the expedited schedule..., will be in service before December 31, 2002;	Table 8.14-7 Section 8.14.8	Yes	